

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SIKHS FOR JUSTICE, et al.,

Case No.: 10-cv-02940
Hon. Robert W. Sweet

Plaintiffs,

-against-

KAMAL NATH, et al.,

Defendant.

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AFFIDAVIT OF KHALID BIN JAMAL

I, KHALID BIN JAMAL, being duly sworn, hereby depose and state as follows:

1. I am the Private Secretary to the current Union Minister of Urban Development for the Republic of India, Mr. Kamal Nath (hereinafter “Minister Nath”). I have held this position since January 19, 2011, the date on which Minister Nath was appointed to the said position.

2. Between on or about June of 2009 and January 18, 2011, I served as the Officer on Special Duty to Minister Nath, who, at that time, was the Union Minister for Road Transport and Highways for the Republic of India.

3. I submit this affidavit solely in support of Minister Nath’s motions to dismiss. The information contained herein is based on my personal knowledge acting within the course of my employment for the Republic of India.

4. As Minister Nath's Officer on Special Duty (between on or about June of 2009 and January 2011 when he was the Union Minister for Road Transport & Highways) and as his Private Secretary (since January 2011 when he became the Union Urban Development Minister), I have complete knowledge of Minister Nath's official activities.

5. As Minister Nath's Private Secretary, I accompany Minister Nath on official visits to foreign countries, including, but not limited to, the United States of America.

6. On April 5, 2010 Minister Nath arrived in New York in his official capacity as the Union Minister for Road Transport & Highways for the Republic of India (hereinafter the "April Visit").

7. The April Visit, like all overseas visits by Minister Nath, whether official or personal, was authorized by the Prime Minister of the Republic of India, as well as the Ministry of External Affairs of the Republic of India.

8. I accompanied Minister Nath during the entire length of his official engagements during the April Visit.

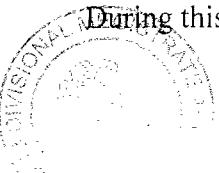
9. During the April Visit, on April 6, 2010, Minister Nath appeared at the Indian Consulate, located at 3 East 64th Street, New York, New York 10065 (hereinafter the "Consulate") to deliver a lecture on "The Challenges of Infrastructure Development in India" (hereinafter the "Lecture").

10. The Lecture was preceded by a press conference at the Consulate and was followed by a dinner hosted by the Consul General of India at New York at the Consulate of India (hereinafter the "Consul General").

11. I travelled with Minister Nath to the Consulate on April 6, 2010, in a chauffeur-driven car arranged for by the Consulate. The chauffeur pulled up to the curb directly in front of the Consulate at approximately 6:30 p.m. Upon arrival, Minister Nath and I exited the car and the chauffeur remained inside the car.

12. Minister Nath and I were received at the curb directly in front of the Consulate by the Consul General and the Head of Chancery of the Consulate (hereinafter the "HOC").

13. From the time we exited the car, it took Minister Nath, certain individuals accompanying him, and me, approximately 15 to 20 seconds to enter the Consulate. During this short walk I was immediately behind Minister Nath.



14. During the short walk from the car to the Consulate, nobody approached Minister Nath other than those that received Minister Nath.

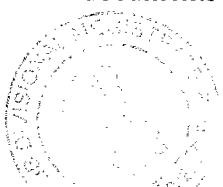
15. During the short walk from the car to the Consulate, nobody handed any documents to Minister Nath.

16. Minister Nath was at the Consulate for approximately 2 hours and left at approximately 8:30 p.m.

17. At that time, I accompanied Minister Nath from the Consulate to his car. From the time we exited the Consulate, it took Minister Nath, certain individuals accompanying him, and me, approximately 15 to 20 seconds to reach the car, which was parked directly in front of the Consulate. During this short walk I was immediately behind Minister Nath.

18. During this short walk from the Consulate to the car, nobody approached Minister Nath.

19. During this short walk from the Consulate to the car, nobody handed any documents to Minister Nath.

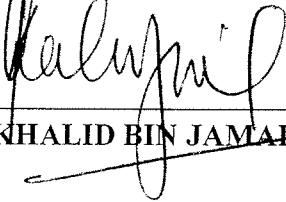


20. Immediately prior to entering the car, Minister Nath engaged in a short conversation with Sushil Malhotra. Said conversation between Minister Nath and Mr. Malhotra lasted about a minute or so. During this conversation, nobody handed any documents to Minister Nath.

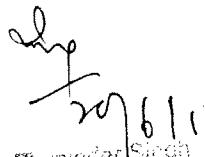
21. As soon as the conversation between Mr. Malhotra and Minister Nath concluded, Minister Nath entered the car and was driven off to his next engagement.

I swear that the foregoing is true and correct.

Executed this 20th day of June, 2011 in New Delhi, India.


KHALID BIN JAMAL

SWORN BEFORE ME
SHALL UNDERTAKE NO RESPONSIBILITY
OF THE CONTENTS OF THIS DOCUMENT


Sub Divisional Magistrate
(Chenakya Puri)
K7/1 Jam Nagar House, Shahjahan Road
New Delhi-110011



SWORN BEFORE
M. J. BHUPINDER SINGH
ON THE 20th JUNE, 2011
IN THE PRESENCE OF THE FOLLOWING:
THE CONVENTION OF APOSTILLE



भारत सरकार GOVERNMENT OF INDIA

अपोस्टिल / APOSTILLE

(Convention de La Haye du 5 octobre 1961)

INDIA

**This public document of the type
AFFIDAVITS**

is issued to KHALID BIN JAMAL

has been signed by BHUPINDER SINGH

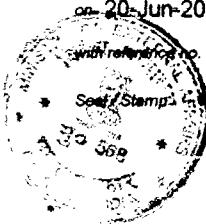
with the seal / stamp of SDM, CHANAKYA PURI, JAM NAGAR
HOUSE, NEW DELHI, DELHI

Certified by

Section Officer(O.I) MINISTRY OF EXTERNAL AFFAIRS

on 20-Jun-2011 at NEW DELHI, INDIA

with reference no. DLND0003372711



संविधानीय सेवा के प्रि.
SASI LEACHIOUS K.P.
अनुचान अधिकारी (ओ.आई.)
Section Officer (O.I.)
मिस्ट्री ऑफ एक्स्टरियर ऑफिस
Ministry of External Affairs
Government of India